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INSIDE THE GOVERNMENT

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Prajapati Trivedi
Secretary, Performance Management

Manmohan Singh

KM Chandrasekhar
Cabinet Secretary

The Prime Minister and his A Team on governance are on the path to accomplishing the most revolutionary change in the Indian administrative system since Independence.

GOVERNMENT PERFORMANCE

A NEW BILL OF RIGHTS

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COVER STORY

accountable performance

D-DAY IS FINALLY HERE

HOLDING ministries and bureaucrats accountable for result-oriented implementation of governance is no longer a dream in an opium den—it is happening here, now, and with an urgency, planning and purpose never before undertaken in the history of modern India. This exclusive report by **Anil Tyagi** *shows how this exercise, directly under the Prime Minister's control, is shaking up the whole system of governance from top to bottom and could benchmark the most serious implementation of administrative reforms ever attempted in independent India.*

DRIVEN by the belief that nations and governments that do not perform are doomed, ultimately, to perish under the weight of their own inefficiency and bureaucratic sloth, Prime Minister Manmohan Singh has finally taken the bull of maladministration by the horns. In a no-nonsense directive innocuously labelled "Performance Monitoring and Evaluation System (PMES) for Government Departments", dated 11/9/2009, he has ordered his Cabinet Secretary to undertake what could be the most ambitious and challenging task ever assigned to any head of bureaucracy: Every department and ministry will, in a time-bound manner, prepare a Results-Framework Document (RFD).

The helmsman for this project is former Harvard Professor and World Bank economist Prajapati Trivedi, who has the new title, Secretary, Performance Management, and works in close cooperation with Prime Minister Manmohan Singh, Deputy Chairman of the Planning Commission Montek Singh Ahluwalia, and Cabinet Secretary KM Chandrasekhar. This could arguably be the most happening mission ever undertaken by the Indian government during the last 63 years.

Shorn of bureaucratese, RFD means: Are you implementing the administrative agenda? Are you keeping deadlines? Are you showing results? If not, why

Continued on page 4

Table 1 - Format of the Results-Framework Document (RFD)

Column 1	Column 2	Column 3	Column 4		Column 5	Column 6				
Objective	Weight	Actions	Success Indicator	Unit	Weight	Target / Criteria Value				
						Excellent	Very Good	Good	Fair	Poor
						100%	90%	80%	70%	60%
Objective 1		Action 1								
		Action 2								
		Action 3								
Objective 2		Action 1								
		Action 2								
		Action 3								
Objective 3		Action 1								
		Action 2								
		Action 3								

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INSIDE THE GOVERNMENT

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From the Editor-in-Chief

THERE is a core belief among some of the most perspicacious analysts of the India Story that, notwithstanding recurring positive economic indicators, this nation lags woefully behind the rest of the developed world not because of the bane of terrorism, labour problems or population growth but because of the failure of the governmental mechanism to deliver. In short: No implementation.

This problem – it keeps India poor, unequal, divided, violent, polluted, unhygienic, malnourished, unjust – has been recognized by successive governments. Many leaders have tried in earnest to look for solutions: Police reforms, administrative reforms, pay commissions, restructuring courses at the IAS Academy. They have failed. The huge bureaucracy that governs this land of over one billion people has continued to bloat without giving any concrete measurable results.

Trivedi speaks to Editor Tyagi

The major predicament has been the mismatch – the seminal disconnect – between the whims of the politician who thinks he's the personal rather than Constitutional boss of the civil servant, and the bureaucrat who is sworn to serve the public interest. The personal agenda of a politician and the public mandate of the government servant are often at variance. A politician bent upon treating the state as his personal milch cow is hardly expected to "reward" a dissenting IAS or IPS or Customs officer for standing up to him in the interests of the law of the land and his mandated duty.

This has stood the whole system of reward and punishment on its head. And in this scenario, performance and accountability become relative terms. This week's cover story, unearthed by Editor Anil Tyagi, is by any definition a barn burner. It shows how Prime Minister Manmohan Singh and his A Team on governance have finally grabbed the bull by the horns and may be on the path to accomplishing the most revolutionary change in the Indian administrative system since Independence. Changes that could impact every man, woman, and child in this country by freeing the bureaucracy from the stranglehold of political vested interests.

This is all happening within the system. The politician is here to stay. But under a new performance management system he will have to develop a vested interest in making sure that his Ministry performs in the national interests rather than according to personalized ad-hoc instructions. How? Through a unique new arrangement, henceforth a Minister and a government Secretary will have to agree on the vision, objectives and parameters for judging the success or failure of that Ministry, with consequential carrots and sticks for both. This is the advent of a bold new world in which the civil servant and his political boss will be bound to national objectives and performance yardsticks by what is virtually a performance contract with the nation.

This is being described as a new Bill of Rights for government servants. Let us hope that it is institutionalized, perhaps even given Constitutional sanction. If that happens it could become a new Bill of Rights for the nation.

INDERJIT BADHWAR

LETTERS

LETTERS: Col Bhat (February 2010) has highlighted some important aspects of defence which need to be studied and acted upon by the planners and implementing agencies.

Anil Mathur, on blog

The Bofors incident in 1985 has paralysed the defence procurement process and is responsible to a large extent for the vintage equipment of the Indian military. In this scenario, do you not think that the Defence Ministry must be led by a more proactive Raksha Mantri in the mould of P Chidambaram, who is intelligent, competent and systematic?

Fifteen years of backlog, a decadent, corrupt and creaking defence procurement system, and a procurement cycle of 15 years should be relegated to the past. Otherwise, how can we even dream of taking on the Pakistani and Chinese forces?

Is there not a case for having more technologically-savvy middle-rank and young officers to overhaul the system? Is it not shocking that 80 per cent of Indian tanks are night-blind and the media says that the indigenous Arjun tank is being overlooked against the expensive upgradation of T90 tanks to fill the coffers of a corrupt few?

What could be a realistic solution to clean the Augean stables instead of hand-wringing?

Ram, on blog

A touching recollection of his career by Gen AS Kalkat.

Muralidhar Reddy, The Hindu *Sri Lanka and Maldives correspondent, on blog*

Very good. Can we expect more spice? More revelations? More secret happenings in the corridors of power?

Sitaraman, on blog

COVER STORY

accountable performance

Continued from page 2

not? And if you're not performing, then get ready to face the music. No more excuses.

The guidelines are succinct. They are imbued with a unique perspective that recognizes the difficulty of administering a nation in which there may be differences between political and administrative goals and cultures. For this reason, the format of the RFD is a unique memorandum of understanding between the administrator and his political boss: It is a record of appreciation between a Minister representing the people's mandate, and the Secretary of a department responsible for implementing this mandate. This document contains not only the agreed objectives, policies, programmes and projects but also success indicators and targets to measure progress in implementing them. To ensure the successful implementation of agreed actions, RFD may also include necessary operational autonomy that is considered necessary to achieve the desired results.

As Trivedi puts it: "This will be akin to a Bill of Rights for government functionaries. It will liberate the bureaucracy from vagaries of ad-hocism, subjectivity and uncertainty." In the first phase, four ministries — Home, Finance, Defence and External Affairs — are excluded from the performance management purview. All the rest will be rated on scales ranging from "excellent" to

Table 2 - Mandatory Success Indicators

Each RFD must contain the following mandatory indicators for 2010-11 to promote systemic efficiency and responsiveness of depts

Objective	Actions	Success Indicator	Unit	Weight	Target / Criteria Value				
					Excellent	Very Good	Good	Fair	Poor
					100%	90%	80%	70%	60%
(1) Efficient Functioning of the RFD System	Timely submission of Draft for Approval	On-time submission	Date	2%	Mar. 5 2010	Mar. 8 2010	Mar. 9 2010	Mar. 10 2010	Mar. 11 2010
	Timely submission of Results	On-time submission	Date	1%	May 2 2011	May 3 2011	May 4 2011	May 5 2011	May 6 2011
	Finalize a Strategic Plan	Finalize the Strategic Plan for next 5 years	Date	2%	Dec. 10 2010	Dec. 15 2010	Dec. 20 2010	Dec. 24 2010	Dec. 31 2010
(2) Improving Internal Efficiency / responsiveness / service delivery of Ministry / Department	Develop RFDs for all Responsibility Centers	Percentage of RCs covered	%	2%	100	95	90	85	80
	Implementation of Sevottam	Create a Sevottam compliant system to implement, monitor and review Citizen's Charter	Date	1%	Oct.1 2010	Oct.5 2010	Oct.11 2010	Oct.15 2010	Oct.20 2010
		Create a Sevottam compliant system to redress and monitor public Grievances	Date	1%	Oct.1 2010	Oct.5 2010	Oct.11 2010	Oct.15 2010	Oct.20 2010
		Independent Audit of Implementation of Citizen's Charter	%	1%	100	95	90	85	80
		Independent Audit of implementation of public grievance redressal system	%	1%	100	95	90	85	80
			Total Weight		11%				

"poor". All ministries have been instructed to implement strategic planning for the next five years to ensure they are moving in the right direction. That is, they should not only do "things right" but also do the "right things". Performance results will be made public and the markings will determine senior promotions as well as post-retirement appointments.

Says Trivedi: "For the first time in the history of modern India, the performance of departments and Ministries of the Government of India will be measured. When you don't have measurements, how do you give incentives?" That is perhaps why recommendations of the 4th, 5th and 6th Pay Commissions relating to performance-related incentives could not be implemented. The government is seriously examining proposals under which Secretaries who perform well are likely to receive as high as a 40 per cent bonus on their base salaries. In fact, under these proposals, departmental bonuses could be linked to the RFD. Under the reformed performance appraisal system, no official within a department will receive more than six out of 10 marks in his promotion or confidential report if that department is rated at six out of 10 in the RFD. In other words, no Secretary will now have the freedom to mark everybody as "excellent" in the face of the new, tangible benchmarking of the department as a whole.

The formula may be novel, even revolutionary to India, but OECD countries as well as nations like Korea have long accepted this as workable. A committee of former Secretaries to the GOI, assisted by a battery of IIM professors and domain experts, are already on the job. In the long run, the political climate within which the bureaucracy functions is bound to change as the new parameters for result-oriented governance come into force.

RFD Process and Timelines

Beginning of the Year

- At the beginning of each financial year, with the approval of the Minister concerned, each Department will prepare a Results-Framework Document (RFD) consistent with these guidelines.
- To achieve results commensurate with the priorities listed in the RFD, the Minister in charge will approve the proposed activities and schemes for the Ministry/Department. The Ministers in charge will also approve the corresponding success indicators (Key Result Areas – KRAs or Key Performance Indicators – KPIs) and time-bound targets to measure progress in achieving these objectives.
- Based on the proposed budgetary allocations for the year in question, the drafts of RFs will be completed by 5th of March every year. To ensure uniformity, consistency and coordinated action across various Departments, the Cabinet Secretariat will review these drafts and provide feedback to the Ministries/Departments concerned. This process will be completed by March 31 of each year.
- The final versions of all RFs will be put up on the websites of the respective Ministries by the 15th of April each year.
- The Results Framework of each Department/Ministry will be submitted to the Cabinet Secretariat, by the 15th of April each year. It will take into account budget provisions and in particular the Outcome Budget. The Results Framework will be drawn up in such manner that quarterly monitoring becomes possible. Quarterly reports will be submitted to the Cabinet Secretariat.

During the Year

- After six months, the Results Framework as well as the achievements of each Ministry/Department against the performance goals laid down at the beginning of the year, will be reviewed by a Committee on Government Performance consisting of the Cabinet Secretary, Finance Secretary, Expenditure Secretary, Secretary (Planning Commission), Secretary (Performance Management) and the Secretary of the Department concerned. At this stage, the Results Framework may have to be reviewed and the goals reset, taking into account the priorities at that point of time. This will enable factoring in unforeseen circumstances such as drought conditions, natural calamities or epidemics. The report of the Committee on Government Performance will be submitted to the Prime Minister, through the concerned Minister, for further action as deemed necessary.

End of the Year

- At the end of the year, all Ministries/Departments will review and prepare a report listing the achievements of their Ministry/Department against the agreed results in the prescribed format. This report will be expected to be finalized by the 1st of May each year.
- After scrutiny by the Cabinet Secretariat, these results will be placed before the Cabinet for information by 1st of June each year.

Trivedi observes, "It will not happen overnight. There will be a paper change, habit change, followed by cultural change, until the entire system goes on automated."

A complete understanding of the RFD revolution requires knowledge of three broad areas:
(I) Format of RFD; (II) Methodology for Evaluation; and (III) RFD Process and Timelines.

The RFD Format

It addresses (a) what are the department's main objectives for the year? (b) What actions are proposed to achieve these objectives? (c) How would someone know at the end of the year the degree of progress made in implement-

Results-Framework Document (RFD)

Ad-hoc Task Force (ATF) Members for 2009-2010

Agriculture and Rural Development

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Ritwick Dutta, Supreme Court Lawyer
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Rajen Malhotra, ACC Cements, Chief Knowledge Officer
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Anil Kumar, IAS, 1965, Rajasthan, Secy, GOI, M/o Textiles
Shiela Bhide, IAS, 1973, AP, Ex-Secretary, GOI, Chairman, Indian Trade Fair Authority
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AH Jung, A&AS, 1965, Secy, M/o Civil Aviation, Chairman, AI
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R Poornalingam, IAS, 1970, Tamil Nadu, Ex-Secy, Disinvestment
KT Chacko, IAS, 1973, MP, Director, Indian Institute of Foreign Trade
Punam Saigal, IIM Lucknow, Dean, Noida Campus
Sharat Babu, Founder CEO, Foodking, Chennai
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CONCEPT

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Table 3

Objective	Actions	Success Indicator	Unit	Actual Value for FY 07/08	Actual Value for FY 08/09	Target value for FY 09/10	Projected value for FY 10/11	Projected value for FY 11/12
Objective 1	Action 1							
	Action 2							
	Action 3							
Objective 2	Action 1							
	Action 2							
	Action 3							
Objective 3	Action 1							
	Action 2							
	Action 3							

ing these actions? That is, what are the relevant success indicators and their targets?

It contains five sections: The Ministry's vision, mission, objectives and functions; priorities among key objectives and functions; trend values of success indicators; description and definition of success indicators and proposed measurement methodology; specific performance requirements from other departments that are critical for delivering agreed results.

Ministry's Vision, Mission, Objectives and Functions: "Vision should never carry the 'how' part of vision. For example, 'To be the most admired brand in the aviation industry' is a fine vision statement, which can be spoiled by extending it to 'To be the most admired brand in the aviation industry by providing world-class in-flight services'. The reason for not including 'how' is that 'how' may keep on changing with time," the document says.

Leaders may not be able to make a connection between the vision/mission and people's everyday work. Too often, employees see a gap between the vision, mission, and their goals and priorities. Even if there is a valid/tactical reason for this mismatch, it is not explained. The leadership of the Ministry (Minister and the Secretary) should therefore consult a wide cross-section and come up with a vision that can be owned by the employees of the Ministry/department.

Mission should follow the vision. This is because the purpose of the organization could change to achieve the vision. The Ministry/Department's mission is the nuts and bolts of the vision. Mission is the who, what and why of the department's existence. The vision represents the big picture and the mission represents the necessary work.

Objectives represent the developmental requirements to be achieved by the department in a particular sector by a

Status of Implementation of Action Plan for
Performance Monitoring and Evaluation System (PMES)
(as of December 24, 2009)

Module		Actions	SEP	OCTOBER				NOVEMBER				DECEMBER				STATUS
			WK 4	WK 1	WK 2	WK 3	WK 4	WK 1	WK 2	WK 3	WK 4	WK 1	WK 2	WK 3	WK 4	
System Design	1	Convey PMO approval to all departments	Done													Completed
	2	Approval of Action Plan														Completed
	3	Constitute High Power Committee (HPC) on Government Performance														Completed
		3.1 Approval of HPC's TORs														Completed
		3.2 Notification to All Secretaries														Completed
	4	Finalize Guidelines and Checklist														Completed
		4.1 Approval of Finalized Guidelines & Checklist														Completed
		4.2 Send Guidelines & Checklist to Secretaries														Completed
	5	Decide Coverage of Departments in Phase I														Completed
		5.1 Decide on criteria														Completed
		5.2 Cabinet Secretary Approves														Completed
		5.3 Inform Concerned Secretaries														Completed
	6	Constitute Ad-Hoc Task Force (ATF)														Completed
	7	Constitute Group of Resource Persons														Completed
Capacity Building	8	Organize Six workshops for Phase I departments														Completed
	9	Organize International Workshop														Feb 2010
	10	Orientation for ATF members														Completed
Implementation	11	Send instructions to departments for preparing Results-Framework Document (RFD)														Completed
	12	Departments submit draft of RFD														Completed
	12	Review of Draft RFDs by PMD														Completed
	13	ATF Meetings with departments / ministries														Completed
	14	Submit Final Drafts to HPC for approval														Completed
	15	Place Result-Framework Documents on Departmental Websites														Completed

Table 4

Column 1	Column 2	Column 3			Column 4	Column 5					Column 6		
Objective	Action	Criteria / Success Indicators		Unit	Weight	Target / Criteria Values							
						Excellent	Very Good	Good	Fair	Poor	Achievement	Raw Score	Weighted Raw Score
						100%	90%	80%	70%	60%			
Better Rural Health	Improve Access to Primary Health Care	1	% Increase in number of primary health care centres	%	.50	30	25	20	10	5	15	75%	37.5%
		2	% Increase in number of people with access to a primary health centre within 20 km	%	.30	20	18	16	14	12	18	90%	27%
		3	Number of hospitals with ISO 9000 certification by December 31, 2009	%	.20	500	450	400	300	250	600	100%	20%
Composite Score =													84.5%

selected set of policies and programmes over a specific period of time (short-medium-long). For example, objectives of the Ministry of Health & Family Welfare could include: (a) reducing the rate of infant mortality for children below five years; and (b) reducing the rate of maternity death by 30% by the end of the development plan.

Priorities among key objectives, success indicators and targets: The heart of this section of the RFD document consists of Table 1. Underneath are the guidelines for each column of this table.

Column 1: From the list of all objectives, select those key objectives that would be the focus for the current RFD. Column 2: Objectives in the RFD should be ranked in a descending order of priority according to the degree of significance and specific weights should be attached to these objectives. The Minister in charge will decide the *inter se* priorities among departmental objectives and all weights must add to 100. Column 3: For each objective, the department must specify the required policies, programmes, schemes and projects. Column 4: For each "action" specified in Column 3, the department must specify one or more "success indicators". This provides a means to evaluate progress in achieving the policy, programme, scheme and project. Success indicators are important management tools for driving improvements in departmental performance. They should represent the main business of the organization and should also aid accountability. If there are multiple actions associated with an objective, the weight assigned to a particular objective should be spread across the relevant

SHARAD SAXENA

Trivedi with task force members: on a fast track

success indicators. Column 5: If there is more than one action associated with an objective, each action should have one or more success indicators to measure progress in implementing these actions. Column 6: The next step is to choose a target for each success indicator. Targets are tools for driving performance improvements. Target levels should, therefore, contain an element of stretch and ambition.

The target should be presented as the following five-point scale:

Excellent	Very Good	Good	Fair	Poor
100 %	90%	80%	70 %	60 %

It is expected that budgetary targets would be placed at 90% (Very Good). For any performance below 60%, the department would get a score of 0%.

Trend values of the success indicators: For every success indicator and the corresponding target, RFD must provide actual values for the past two years and also projected values for two years in the future as indicated in Table 3. RFD must contain a section giving detailed definitions of various success indicators and the proposed measurement methodology. Wherever possible, the rationale for using the proposed success indicators may be provided.

Specific performance requirements from other departments that are critical for delivering agreed results. This section should contain expectations from other departments that impact the department's performance. These expectations should be mentioned in quantifiable, specific, and measurable terms.

Evaluation Methodology

At the end of the year the PMES will

evaluate the achievements of government departments, compare them with the targets, and determine the composite score (Table 4). The table provides an example from the health sector. For simplicity, it focuses on one objective to illustrate the evaluation methodology.

The raw score for Achievement in Column 6 is obtained by comparing the achievement to the agreed target values. For example, the achievement for first success indicator (% increase in primary health care centres) is 15%. This achievement is between 80% (Good) and 70% (Fair) and hence the Raw Score is 75%.

The weighted raw score for Achievement in Column 6 is obtained by multiplying the raw score with the relative weights. Thus, for the first success indicator, the Weighted Raw Score is obtained by multiplying 75% by .50. This gives us a weighted score of 37.5%.

Departmental Rating	Value of Composite Score
Excellent =	100% - 96%
Very Good =	95% - 86%
Good =	85 – 76%
Fair =	75% - 66%
Poor =	65% and below

Finally, the composite score is calculated by adding up all the weighted achievements. In Table 4 the composite score is calculated to be 84.5.

The composite score shows the degree to which the government department in question was able to meet its objective. The fact that it got a score of 84.5% in our hypothetical example implies that the department's performance vis-à-vis this objective was rated as "very good".

The methodology outlined above is transcendental in its application. Various government departments will have a diverse set of objectives and corresponding success indicators. Yet, at the end of the year every department will be able to compute its composite score for the past year. This composite score will reflect the degree to which the department was able to achieve the promised results. g

Abbreviated Time Lines for 2009-2010

Normally, the Results-Framework Document (RFD) is supposed to coincide with the financial year (April 1 – March 31). However, in 2009, the Union Budget was approved in July as opposed to February 28. Similarly, the Prime Minister approved the policy on the Results-Framework Document on September 11, 2009. Therefore only an abbreviated schedule was implemented for the current financial year. The Results-Framework Documents for the year 2009-10 only cover the period from January 1 – March 31, 2009. Timetable for the 2009-10 exercise is as follows:

WHEN		WHAT	WHO
2009	November 30	Submit final draft of Results-Framework (RF) document to Performance Management Division (PMD), Cabinet Secretariat.	Departments/ Ministries
	December 9-18	Review Meetings with the Ad-hoc Task Force (ATF) on Results Framework	Departments / Ministries / ATF
	December 28	Finalise Results–Framework document after incorporating suggestions of High Power Committee (HPC) on Government Performance	Departments/ Ministries
	December 31	Place Results-Framework document on departmental websites	Departments/ Ministries
2010	May 1	Submit year-end evaluation report on progress during the year	Departments/ Ministries
	May 10-18	Review Meetings with the Ad-hoc Task Force (ATF) on year-end evaluation results	Departments / Ministries / ATF
	May 27	Finalise year-end evaluation results after incorporating suggestions of High Power Committee (HPC) on Government Performance	Departments / Ministries
	June 1	Place the Evaluation Results before the Cabinet.	Departments/ Ministries
	June 1	Place the Evaluation Results on the website of the Ministry/Department.	Departments / Ministries

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MADHYA PRADESH

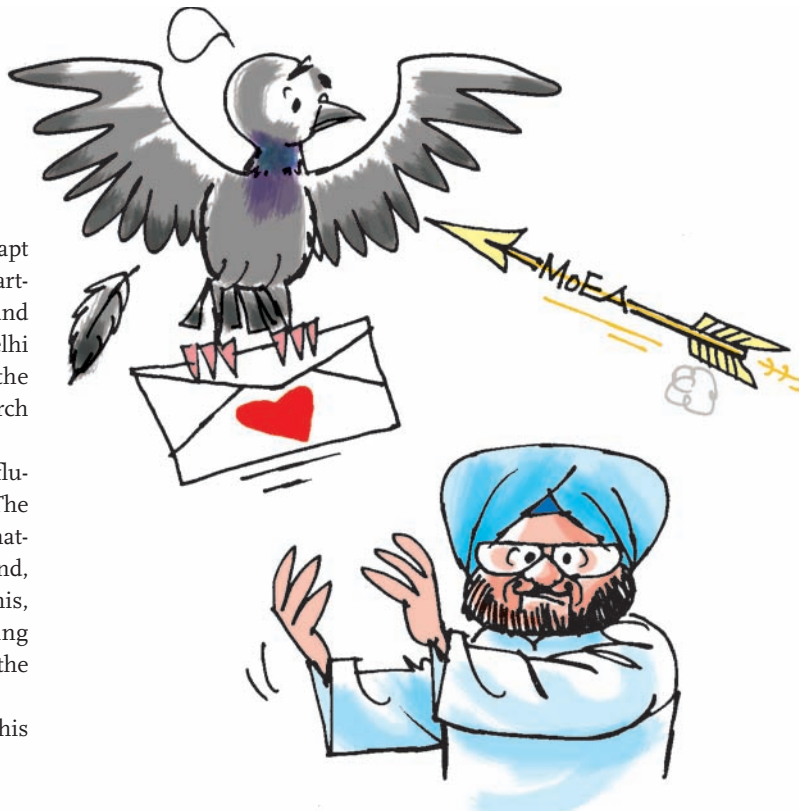
The heart of Incredible India

Amarinder in doldrums
no visa for aroosa

THE former Chief Minister of Punjab, Capt Amarinder Singh, has been left quite disheartened after all his shuttling between Patiala and Delhi yielded no results. He kept rushing to Delhi ostensibly to campaign for strengthening the Congress in Punjab or to gather support against arch rival Rajinder Kaur Bhattal.

Now, why would he knock on the doors of his influential Minister friends for such trivial issues? The grapevine says the entire exercise was linked to a matter of the heart. His Pakistani journalist friend, Aroosa Alam, is not getting a visa for India. This, despite Amarinder's wife Preneet Kaur being Minister of State for External Affairs. Or is she the impediment?

Undeterred, Amarinder is valiantly continuing his efforts to bring Aroosa to India.



Azad plays it safe
gives up amu dream

GHULAM Nabi Azad is one of those politicians who are more active behind the scenes. Those close to this maverick politician from Kashmir vouch for his many moves that are characterized by military precision. And, like a wise general, he knows when to retreat.

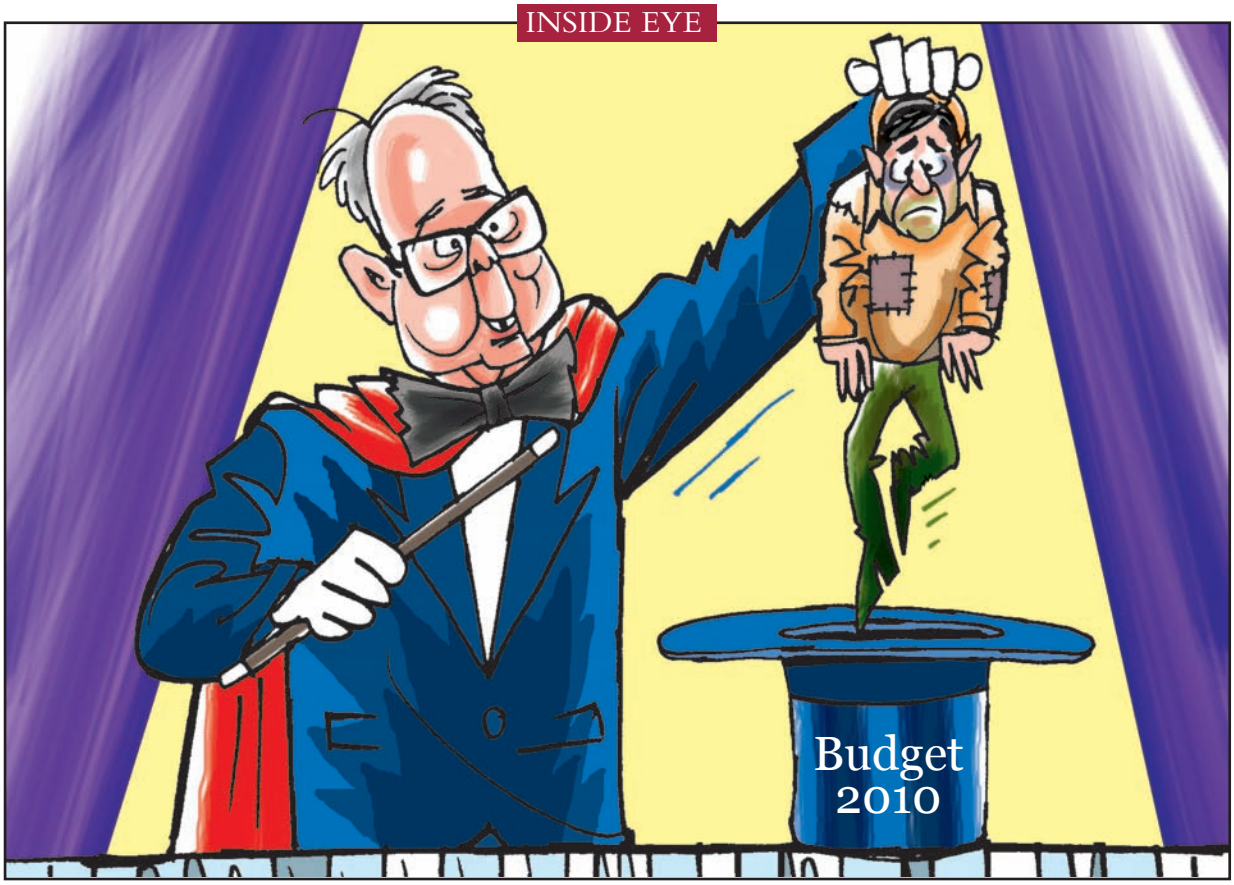
Though he is Minister for Health and Family Welfare, he is known to make forays into other areas – always doing his homework well. Being Chancellor of Aligarh Muslim University (AMU) is considered a prestigious achievement among India's Muslims. Azad eyed the chair and sent feelers to the Vice-Chancellor, PK Abdul Aziz. He also cajoled the members of the University's court in Aligarh, but to no avail. Even the President of India did not like the idea of a Cabinet Minister becoming Chancellor of the University.

So Azad, like a judicious general, withdrew sans fuss.

Antony master stroke
reins in gen kapoor

OUTGOING Army chief Deepak Kapoor's close links with former Military Secretary Avdesh Prakash and Vice-Chief of Army Staff PK Bhardwaj are well known. The astute AK Antony, Defence Minister, had got wind of the murmurings within South Block. A veteran in politics, he knows well the nuances of the Defence Ministry. Gen Kapoor reportedly threatened to resign for well known reasons.

In the past two months, there were three major events – the Republic Day parade, the President of India's at-home, and Defence Expo 2010. The circumspect Antony, keen



ILLUSTRATIONS: ARUNA

to safeguard the armed forces' image, reportedly told Gen. Kapoor, who retires on March 31, "People look up to the soldiers of this country." Nothing should happen to undermine the respect accorded to the armed forces, he emphasized.

The Minister's handling of the situation saved the day for the nation.

Ambika's power lunch
invitees, absentees and all

I&B Minister Ambika Soni's 22, Akbar Road residence recently hosted a luncheon that had all the Union Ministers and senior AICC functionaries as well as media honchos in full attendance. The most striking politician was Ahmed Patel, who was his usual suave self. Sharmila Tagore was also present and circulated among the guests.

Soni, moving from table to table, talked of the preparations to broadcast the Commonwealth Games. She reeled off the Ministry's achievements and the schemes that have been initiated for the Games.

The absence of Doordarshan CEO BS Lalli and Director-General Aruna Sharma was notable. Sources say they were not invited. However, members of the Prasar Bharati board were present. Of them, Mrinal Pande, Muzaffar Ali and Sunil Kapoor mingled noticeably with top Congress politicians.g

LABYRINTHINE NIGHTMARE

Convoluted rules for government servants make it impossible to either exonerate the blameless or punish the guilty

by Shailaja Chandra

THE second Administrative Reforms Commission (ARC) lamented that "dilatory disciplinary proceedings make a mockery of any attempt to instil discipline and accountability". But the Commission, instead of recommending a workable alternative amenable to quick implementation, demanded the repeal of Article 311 of the Constitution, a provision that embargoes a government servant from being dismissed, removed from service or reduced in rank, except after inquiry. The repeal of Article 311 was not attempted even during the Emergency or during the Camelot years of Rajiv Gandhi and it would be impossible to achieve it now. Given the nature of political dependency which is integral to coalition politics, both Parliament and Opposition-led state governments would resist such a move as anti-*sarkari mulaazim*.

A more practical recommendation would have been for the Commission to have sought a time-bound revamp of the 45-year-old Conduct and Disciplinary rules which draw their authority not from Article 311 but from Article 309. They apply to all government employees, whether Secretaries to the Government of India or lowly peons. The convoluted rules require 31 mandatory stages to be completed in every major departmental proceeding and no power on earth can change that, once an inquiry has started. Within this saga, which lasts from two to 20 years,besides what goes on in the parent organization, on umpteen occasions the Department of Personnel and the Central Vigilance Commission (CVC) are asked for "advice". The process is fraught with endless delay, as the reference meanders from table to table, transcribed in hard copy on a "shadow file", lest confidential opinions leak.

The prospect is so frightening that most officers shun taking even the simplest decision, fearing complaints and their inevitable aftermath. The same charade goes on in the state governments, where honest officers have increasingly begun pushing files higher and higher up the chain of command, reaching the tables of Chief Secretaries and Chief Ministers for no earthly reason except to buy insurance against complaints and inquiries. The result? Decisions are delayed unnecessarily and there is little sense of ownership, leave alone resourcefulness or initiative. Projects and programmes, contracts and purchases get delayed for months – even years – with disastrous consequences.

What is not widely appreciated is the fact that because senior government servants are appointed in the name of the President of India or by the Governor of the state, only the Minister in charge of the Ministry or the Chief Minister of the state can approve the most important milestones in a disciplinary inquiry. But

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The convoluted rules require 31 mandatory stages to be completed in every major departmental proceeding and no power on earth can change that

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no member of the political executive, nor even an astute lawyer, understands the labyrinthine procedures of a disciplinary inquiry and hence treats them with contempt, leaving the bureaucracy to stew in its own juice.

Why did India choose to adopt this rigmarole as its disciplinary system? Sardar Vallabhbhai Patel, independent India's first Home Minister, favoured giving civil servants protection to enable them to be frank and impartial. Hence Article 311 came into being. But the CCS (CCA) Rules, 1965 were not framed by Sardar Patel and their reinvention does not require a Constitutional amendment.

Nothing stops the government from abandoning the antiquated disciplinary rules with a simple notification and replacing them with three simple requirements: First, all inquiries should start with the issue of a written chargesheet; second, consideration of the officer's response should be done in writing but thereafter orally, before an interview board (this is the system in the UK and has been mentioned by the ARC); third, the present judicial sort of inquiry should be favoured only if the misconduct is *prima facie* serious enough to warrant dismissal or removal from service. In all other cases, it should be a summary disposal. The finding of the interview panel regarding the culpability of the officer or his exoneration, as also the quantum of punishment to be meted out, should be final, except for one appeal. The appellate authority should have powers to mitigate the punishment but, equally, to enhance it if warranted. This would preclude the possibility of appeals being filed routinely to delay and defeat punishment.

By bringing in a new set of disciplinary rules, the government can change the way its officers perform. It can boost the morale of honest officers and restore lost initiative.

By bringing in a new set of disciplinary rules, the government can change the way its officers perform. It can boost the morale of honest officers and restore lost initiative. Prompt punishment, if awarded to a few, will straightaway work as a deterrent to wrong-doing and instil a respect for hard work and discipline – attributes which have become anachronisms. A change in rules would affect not just senior government officers but also nab, expose, and punish junior officials, particularly those that come into direct contact with the public.

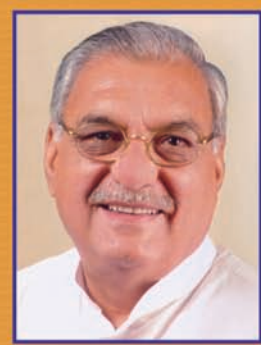
Unless disciplinary proceedings are made summary, and conducted by an interview board (it could even be members of the UPSC or CVC) the corrupt ones will continue to wriggle out of the net. Meanwhile, honest officers (who also generally lack clout and connections) will live in mortal dread of taking decisions – hardly a recipe for government efficiency. g

Kafka Redux

For the honest officer, once there is even a whiff of a vigilance probe, even if no inquiry has started, news percolates through the informal grapevine – the best barometer of reputation. A whispering campaign – "Do you know that he is *phasaoed* in a vigilance case?" – starts and the officer comes under a cloud. It shatters his morale and the ensuing despair percolates his family life, affecting the quality of his work and attitude to fresh challenges. To buy peace, he embarks on the humiliating process of "explaining" the facts to the CVC, the Cabinet Secretary and every influential and helpful senior officer he has worked with. Sadly, no one intervenes because, quite simply, they cannot. The conduct rules are cast in stone and God Almighty cannot tweak them to help an officer, even if he has been framed or wrongly nabbed, once the complaint has been docketed on file.

Grant Money Under Indira Gandhi Priyadarshini Vivah Shagun Yojna Increased More Than Two Times

- 'Shagun' grant money to families belonging to Scheduled Castes living below the poverty line for the marriage of their daughters and to widows belonging to all sections of society for their own re-marriage as well as for the marriage of their daughters increased from **Rs. 15,000 to Rs. 31,000**.
- 'Shagun' to other poor families living below the poverty line increased from **Rs. 5100 to Rs. 11,000**.
- **'Indira Bal Swasthya Yojna'** and **'Nehru Drishty Yojna'** are implemented in the State.



Bhupinder Singh Hooda
Chief Minister, Haryana

हरियाणा की महिलाओं का बढ़ाया सम्मान
कन्या भ्रूण हत्या रोकने का अनूठा निदान

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(From left) Telecom Minister Raja, Army chief Deepak Kapoor, Defence Minister Antony and Ge

THE SEE-SAWING SC

Total immunity for the mother of all scams, a farcical im p esty; Constitutional protection for crores-under-the-bed c that does not exist. Indeed, the scales of justice are swi n law seems nowhere to be seen

by MG Devasahayam

THE blindfolded "Lady of Justice", usually carrying a sword and scales, is seen often in India, particularly in courts and movies. Almost always draped in flowing robes, she symbolizes fair and equal administration of the law – without corruption, avarice, prejudice or favour.

In the last few months we have had prominent scams and misdeeds highlighted by the media – involving a Union Cabinet member, Chief Justice of a High Court and wannabe judge of the Supreme Court, an IAS trio in Madhya Pradesh, and four Generals of the Indian Army. Have the "scales of justice" been even in all these cases?

First, the 2G Spectrum affair. Union Telecommunication Minister A Raja has some favourite real-estate companies, and two such entities – Swan and Unitech – that were not in the telecom business bagged spectrum licences at throwaway prices. They then offloaded their shares at exorbitant profit to multinational telecom giants. Swan Telecom had bagged licences for 13 circles, paying Rs 1,537 crore. Within months, 45 per cent of these shares were sold to an MNC for around Rs 4,500 crore.

Unitech did not invest a penny in telecom infrastructure and yet got licences to operate in 22 circles for Rs 1,651 crore. Within weeks, it sold 60 per cent of its shares for Rs 6,120 crore to another MNC. Valued at a whopping Rs 60,000 crore, the 2G spectrum allocation is perhaps the mother of all scams in India.

The Finance Ministry itself has admitted a loss of Rs 22, 466 crore on the 2G deals. Although Prime Minister Manmohan Singh was aware of the huge scam, he turned a Nelson's eye probably due to the compulsions of coalition politics and other considerations.

Next, the judicial shenanigans. When it came to be known that Justice PD Dinakaran, former Judge of Madras High Court and currently Chief Justice of Karnataka, had been recommended for elevation to the Supreme Court of India, the Chennai-based Forum for Judicial Accountability (FJA) made serious allegations against him. These concerned acquiring over 300 acres of land in three villages of Tamil Nadu; encroaching upon another 150 acres of village common land as well as government land meant for distribution to landless Dalit families; and acquiring high-value commercial and residential properties in Chennai.

The allegations emphasized the dishonest manner in which he dealt with a number of cases relating to mining leases, and passed a series of very unusual orders, many for the benefit of the miners. In one case, he is alleged to have allowed a miner to lift over 1 lakh tonnes of iron ore on a writ petition filed by him in 2009, on the plea that he had mined the material prior to 1985 (when his lease had expired) and that he had not lifted the material for 24 years since the ore was worthless earlier! All in all, the allegations form a formidable body of credible charges.

Despite the District Collector's two confirmatory reports on land-grab, the Survey of India, under orders from an unknown authority, has been meddling with the matter by "conducting a spot probe". Finally, the matter landed before the Chairman of the Rajya Sabha through a resolution of impeachment by 76 MPs and a three-member inquiry committee has been formed. But its composition has been questioned by the FJA. With no credible institutional mechanism whatsoever to deal with errant and corrupt judges, l'affaire

In the last few months we have had prominent scams and misdeeds highlighted by the media – involving a Union Cabinet member, Chief Justice of a High Court and wannabe judge of the Supreme Court, an IAS trio in Madhya Pradesh, and four Generals of the Indian Army

PIB

ARUNA

nd **Gen Avdesh Prakash: conscience vis-a-vis corruption**

SCALES OF JUSTICE

m peachment facade for land-grab and a judge's dishon- ed corruption; court-martial and cashiering for an NOC wi nging wildly, and fair and equal administration of the

Dinakaran may not see the light of day!

The civil services are not far behind. Senior IAS couple Arvind and Tinu Joshi of Madhya Pradesh has been caught with Rs 3 crore in cash, Rs 50 lakh in jewellery, Rs 5 lakh in foreign liquor, Rs 7 lakh in foreign currency and Rs 3 crore in insurance investments. Stacked in bathrooms, the kitchen and under their beds, the bundles of Rs 1,000- and Rs 500-denomination notes packed in nice bags were so numerous that the raiding team had to resort to currency-counting machines! In neighbouring Chhattisgarh, the home of Agriculture Secretary BL Agarwal yielded Rs 52 lakh in cash, jewellery worth Rs 72 lakh, and 220 bank passbooks in *benami* names with deposits worth Rs 40 crore.

The officials have been placed under suspension, which is not a punishment. According to Central Vigilance Commissioner Pratyush Sinha, a list of 123 tainted IAS, IPS and IFS officers has been posted on the commission's website after the completion of all processes, including deliberations with the CBI and other departments. Though he had recommended prosecution or imposition of penalty in September 2009, little has been done till date.

Clearly, most officers go unpunished because of their unholy nexus with politicians and the loopholes in the system. Union Law Minister Veerappa Moily admitted that "departmental inquiries are soft-pedalled either out of patronage or misplaced compassion". Due to Constitutional protection under Article 311 and the need to take prior permission from the government in order for courts to prosecute them, corrupt civil servants go scot-free!

This brings us to the armed forces. Sukna, near Darjeeling, is a military station under the Army's 33 Corps with an adjacent 71-acre tea estate owned by the West Bengal government. The Corps Commander, Lt-Gen PK Rath – allegedly on the insistence of Lt-Gen Avdesh Prakash, Military Secretary – issued a No Objection Certificate for one Dileep Agarwal's project to set up an educational institution supposedly affiliated to the famed Mayo College at Ajmer. Lt-Gen VK Singh, GOC-in-C, Eastern Command, and now Army Chief-designate, was kept in the dark. On coming to know, he immediately appointed a Court of Inquiry (CoI).

The CoI indicted three Lt-Generals – Prakash, Rath, and a Halgali – and a Major-General Sen, for the wrong-doing in promoting the vested interests of a real-estate builder. It also drew attention to Gen Prakash's alleged association with the builder. Based on the CoI report, the Eastern Army Commander recommended strong disciplinary action – meaning court-martial and "cashiering" – against all the Generals. He also cancelled the NOC before it could reach the West Bengal government.

On receipt of the CoI report, the Army Chief, General Deepak Kapoor, opted for administrative action against Gen Prakash and disciplinary action as recommended for the others. Defence Minister AK Antony, keen to uphold the highest military tradition, put his foot down and virtually directed the Army Chief to court-martial Gen Prakash. Gen Kapoor complied and ordered the court-martial just two days ahead of Prakash's retirement from military service, making him the seniormost three-star general in the Army to ever face such action.

The known charge against the Generals is that of "unbecoming conduct" under the Army Act: "Any officer, who behaves in a manner unbecoming of his position and the character expected of him shall, on conviction by court-martial, be liable to be cashiered...." In the British tradition, which India follows, cashiering is associated with the dismissal of military officers of high rank involving public dishonour, disgrace and degradation.

The chariot of governance moves on four wheels – political, judicial, civil and military. With three wheels rotting, the chariot cannot move and will ultimately collapse. Conscientious politicians like Antony should, instead of fixing just one wheel, strive to put all wheels on a par lest governance itself collapse. g

FOTO4INDIA

BL Agarwal and Tinu Joshi: mind-boggling greed

THE GROWTH OF GRAFT

Liberalization has provided the dishonest fresh avenues to stash their cash

by Diptendra Raychaudhuri

BHOLA is a physically challenged youth who rears goats for a living. He lives in Kharora village, about 45 km from Raipur, the capital of Chhattisgarh. Amazingly, Bhola has an account with Union Bank of India which has seen transactions worth over Rs 15 crore. He is also one of the directors of a company he has never heard of. All he knows is that, a few years ago, some people took a sample of his signature on a blank paper, assuring him that it would get him a PAN card. He did not know what that was, but they said the card would help him get a small loan.

Someone somewhere used that signature to open a bank account. The same person did this with nearly 200 others in Kharora, to which he himself belonged. Obviously, this person was sure there would be no repercussions and so he did it with impunity.

Only three categories of people can do such things with impunity: bureaucrats, politicians and police officers.

In this case, it was a bureaucrat. In the first week of February, income tax sleuths raided the residence of BL Agarwal, Agriculture Secretary, Chhattisgarh. They also raided the business establishments of his relatives and his chartered accountant, Sunil Agrawal. They found documents suggesting the IAS officer of the 1988 batch has amassed assets worth several millions of rupees. Agarwal had at least 220 bank accounts, most with fake names and addresses, totalling Rs 40 crore or more.

A couple of days before the discovery of Agarwal's misdeeds, Madhya Pradesh uncovered its own scandal. The state government suspended a Bhopal-based IAS couple – Tinu Joshi, Principal Secretary, Women and Child Development, and Arvind Joshi, Principal Secretary, Jail and Parliamentary Affairs. The value of their illgotten wealth is estimated at about Rs 10 crore.

The income tax authorities have also reportedly started scanning the investments of some more senior IAS officers of Madhya Pradesh in private insurance and investment companies. Eight senior officers reportedly have investments in two private insurance companies. Some officers allegedly own houses in Bhopal, and farmland and plots. It is said that one officer owns a large hotel.

Are these instances of corruption at senior levels of the bureaucracy exceptions? Sadly, no. But the extent of corruption and the level of greed are mind-boggling. It indicates the attitude of impunity. Madhya Pradesh and Chhattisgarh do not fall in the category of those states where big money is plentiful. Many big players are never caught. Only a few, lesser, ones get trapped. Besides, these recent cases constitute only the tip of the iceberg. There are numerous small players who make a few crores, retire and spend the rest of their lives peacefully. There are players who allow relatives, most often sons, to derive immense favour from private players, both national and international, in lieu of the services they, as bureaucrats, provide. Their stories are heard on the grapevine, and cannot find a place in the media, whose hands remain tied (at times, of course, this is deliberate) till substantiative evidence is procured.

India ranks 84 out of 180 countries in Transparency International's

The state government suspended a Bhopal-based IAS couple – Tinu and Arvind Joshi, both principal secretaries. Their illgotten wealth is estimated at about Rs 10 crore.

FOTO4INDIA

Counting Agarwal's loot: bottomless pit

Corruption Perceptions Index, though its score has improved consistently from 2.7 in 2002 to 3.4 in 2008. The notoriety has been earned thanks to government servants, for almost every instance of corruption involves one or more government functionaries. Those at lower levels have been emboldened by the knowledge that even the seniors are corrupt. Thus, corruption has remained rampant and unaffected by liberalization. Rather, liberalization opened up newer avenues for people to be corrupt. Income tax officials say private banks, investment firms and insurance companies offer more liberty to bigwigs to stash their money out of sight.

THE genesis of the problem lies in the emergence of a huge political class, across all parties, that is self-oriented and has no commitment to the nation. These people enter politics to make money with impunity. Earlier, most of those at the top were honest. But the rise of this new political class in the last two to three decades has eroded the basic values injected in our polity during the freedom struggle.

In the Indian mindset, being rich was praiseworthy. Being corrupt was not. But the system has failed in such a way that it is now taken for granted that all those with resources—politicians, bureaucrats, lower-level government officers, policemen, judges, journalists—are corrupt. People have learnt the hard way that the system will not crack down on the corrupt. The emergence of an elite class, which is interest-oriented in the crudest sense, has helped the art of corruption achieve the status of "widely-accepted norm".

The few honest people in government believe corruption has to be fought at the highest level first. They suggest formation of an independent statutory body to monitor Ministers, administrative service officers and judges. It should be directly accountable to Parliament (no other body passes muster, as evident from the conduct of the CBI) and should present its reports every six months. Its officers should enjoy complete protection and security.

But no government would agree to do this. We all know why. g

Income tax officials say private banks, investment firms and insurance companies offer more liberty to bigwigs to stash their money out of sight.

Kiss of Life?

A formidable task awaits the luminaries who have been called upon to revive DD and AIR

by Vinod Kapoor

IN deciding to fill vacancies in the Prasar Bharati Board with weighty names to stem the long-brewing rot, the government has spawned the question of whether these personables would be able to justify their inclusion with the great expectations attaching to a passel of issues. On the other hand, the government might well be able to extract the best for an organization in virtual collapse, seriously affected by non-functioning of the Board, infiltration by alien cadre, and absence of focus.

Mrinal Pande, who started her electronic media sojourn as an anchor for Doordarshan in the mid-1980s and is now Chairperson of the Board, has a daunting task ahead. Shyam Benegal, till recently a nominated MP like fellow filmmaker and Board member Muzaffar Ali, has to prove administrative skill. The Prasar Bharati Board is now a repository of high thinking which will be monitored for positivity rather than being led by shenanigans and low politics.

The complexities and controversies the Board was engulfed in recently owing to a series of insinuations, legal proceedings and CVC queries, require tackling with maturity and vision. The Board will have to be proactive in addressing the issues plaguing AIR and Doordarshan. It will have to devise strategies to bring them out of stagnation and despondency over directionless and unprofessional leadership. The strategies will have to re-establish the supremacy of programming and make the "content is king" adage relevant again.

Since the inception of Prasar Bharati in 1990, no serious effort has ever been made to draft recruitment rules for the programme cadre. This has resulted in failure to induct fresh blood. A stream of professionals whose importance and role has been systematically subjugated to alien cadre are now turned into pall-bearers of this dying work force! Imagine an assistant producer or programme executive toiling for over 18 years in the same slot and yet being expected to churn out shows comparable with the best! A deputy director or director being subjected to uncertainties in cadre growth, dampening any spirit for performance. Or staff fighting over their legitimate service conditions in various courts – all because of the absence of policy and rules. It gets further compounded with many junior and ill-trained executives from other services being anointed as heads, leading to immense demoralization and resultant wayward performance. The cadre needs a defined upgradation and filling of all vacancies with in-house professionals for desired results.

Another area which needs attention is the liberation of programming from the clutches of those not well versed with the nuances of production, scripting, and camera and studio techniques. These are highly professional areas needing specialized training. All proposals or serials which are approved and rated by professional committees comprising outside media experts were earlier approved by the Director General. The reversal in the practice has brought the CEO's office into unnecessary controversies. How can a Director General, after agreeing to the recommendations of the selection committee, change the stance of the committee constituted by the CEO and reverse its own decision? This is not only paradoxical but also a serious breach in law.

Similarly, there is the practice of approval of feature films by the CEO, whose job should be policy formulation and implementation. As Member Executive of Prasar Bharati, the CEO should not be involved in programme functioning of AIR and Doordarshan. Prasar Bharati was conceived as a professional entity for which the Standing Committees of Parliament on IT in the 47th , 60th and 63rd reports have repeatedly sought "functional autonomy".

Ideally, Deputy Director Generals from the IBPS cadre should decide all programming matters. This would allow them functional freedom and scope to improve their areas. g

PIB

Benegal and Pande: breathing fresh air into DD

Mrinal Pande, who started her electronic media sojourn as an anchor for Doordarshan in the mid-1980s and is now Chairperson of the Board, has a daunting task ahead.

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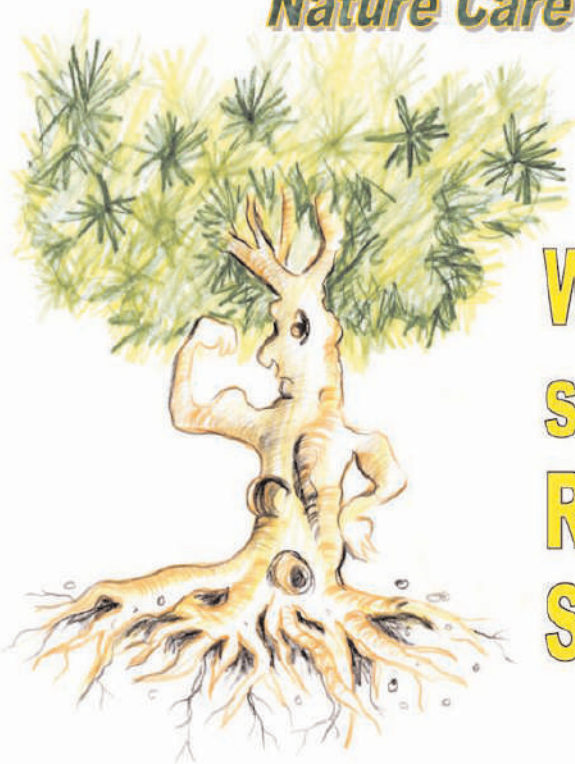

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Of them, by them, for t

Rajasthan gets its first community radio service to further education and developmer

BY ABHILAKSH LIKHI

BAREFOOT College, Tilonia was recently the venue for a two-day State-level consultation on Community Radio Awareness, organized by the Union Ministry of Information and Broadcasting. More important, the occasion also saw the launch of the "Barefoot Community Radio Station" – the first of its kind in the backward state of Rajasthan. The radio service will cater to the educational, developmental and socio-cultural needs of the local community in a radius of 6 to 10 kilometres through indigenously created broadcast programming.

Located in the remote rural hinterland of Ajmer district, the Barefoot College, run by Bunker Roy, is a global initiative that reaches out to the rural illiterate poor by using traditional media such as glove puppetry and street theatre. Its awareness and training modules explore themes such as access to safe drinking water, solar lights engineering, hand craft skills, pre-school education and night classes. The College has, over the years, trained over 340 semi-literate men and women from 16 States in India. A recent initiative has been to train semi-literate middleaged rural women from Gambia, Sierra Leone, Mali, Mauritania, Ethiopia and Cameroon as barefoot solar engineers who will in turn solar electrify over 50 rural communities in nine countries in Asia, Africa and South America.

The consultation workshop at Tilonia was one of a series being organized by the Ministry in various parts of the country to inform and educate non-profit civil society and voluntary organizations/NGOs to develop communication skills for establishing and running community stations. The objective is also to create awareness amongst communities about relevant programming content for community radio stations by locating such workshops in global rural initiatives such as the Barefoot College in Tilonia. The workshops are attended by both potential civil society organizations from the region as well as representatives of functional community radio stations. Seventy such civil society organizations attended the Tilonia workshop.

Grassroots meeting: barefoot outreach

r them...

oment of the rural hinterland

The community radio policy announced in 2000 focused on campus radio stations in educational institutions. After its reformulation in 2006, it allows greater participation by non-profit rural civil society organizations that have a proven record of at least three years of service to the local community relating to development and social change. Besides, at least 50 per cent of the content has to be generated with the participation of the local community, preferably in the local language and dialect.

While funding from multilateral aid agencies can be availed of by the community radio station licensed by the Ministry, limited advertising or announcements relating to local events, businesses, services and employment opportunities are allowed. The maximum duration of such limited advertising has been restricted to 5 minutes per hour of broadcast in a day. To seek advertisements from Central and State government organizations, the rate of airtime for an empanelled radio station with the Directorate of Advertising and Visual Publicity (DAVP) is Re 1 per second. A critical question, in the above context, is the cost of operation of a community radio station. On an average, with an initial capital investment ranging from Rs 6-15 lakh, the operating cost could be Rs 50,000-70,000 per month. Surplus, if any, after meeting the financial needs of the radio station, has to be ploughed back into the primary activity of the civil society organization for which it was established.

Rural workshops such as these constitute a "hands-on" platform to brainstorm, experience and apply the domain knowledge about community radio policy, its operational issues and management problems. It is also a window for effective participatory appraisal by potential NGOs to learn about communication modes that the marginalized and impoverished in rural India already possess. To a great extent, it also generates the much-desired "bottom-up" push to seek expression of interest from non-profit civil society organizations to set up community radio stations.

An interesting aspect of the workshop structuring is its Public-Private Partnership mode. The Ministry of Information and Broadcasting is assisted by Commonwealth Educational Media Centre for Asia (CEMCA) in locating the workshops at "glocal" destinations in the rural Indian hinterland. At Tilonia, the workshop was further partnered with the Digital Empowerment Foundation, an organization that offers linkages, networks and solution platforms to villages across India through innovative interventions of information communication technology (ICT) and digital media.

THE Barefoot Community Radio Station would indeed benefit from the e-NGO expertise of the Digital Empowerment Foundation for its narrowcasting and digital networking endeavours with the help of the local community. It has already set an example in participatory management by making Raghav the project head of the community radio station commissioned. Raghav is an illiterate youth from Bihar who was arrested for illegally operating and running "Raghav Radio" that broadcast social messages against exploitation, discrimination and injustice.

The process of generating awareness amongst civil society organizations about the tremendous potential of community radio for rural empowerment has to be gradual to enable them, first and foremost, to build capacities. Once the latter is achieved, it will be possible for them to carve a niche for themselves in the "public sphere" that is already being catered to by All India Radio and the profit-oriented FM radio stations. g

(The writer is an IAS officer. The views expressed are personal.)

The Barefoot Community Radio Station would benefit from the e-NGO expertise of the Digital Empowerment Foundation for its narrowcasting and digital networking endeavours with the help of the local community

REUTERS

Lord of the jungle or sitting duck?

Chameleon Law?

A critical look at the proposed changes to the WLPA, to be tabled in Parliament

by SAMIR SINHA

"No society can make a perpetual Constitution or even a perpetual law"
– Thomas Jefferson

THE Wildlife (Protection) Act, as enacted in 1972, was independent India's first national legislation with the specific purpose of protecting its wildlife heritage. The WLPA included provisions for hunting of certain species and in certain areas, as *shikar* was still acknowledged as sport.

Since then, the conservation scenario in the country has undergone a dramatic change. As pressure on land – always a limited and finite resource – has increased, wild habitats have shrunk and fragmented. Many charismatic species have seen their wild populations touch precarious levels, despite growing concern about their conservation. The tiger is perhaps the best example of this.

In response to increasing awareness on conservation issues, the WLPA has also been amended a number of times – most recently in 2006. These amendments have ranged from bringing select plant species under the ambit of the Act (as opposed to only fauna in the original version) to establishment of the National Tiger Conservation Authority and the Wildlife Crime Control Bureau.

Awareness has also grown about the illegal trade in wildlife products and the relative ease in evading conviction. A feeling has been gaining ground that, in its present form, the WLPA does not serve as a deterrent to such criminals.

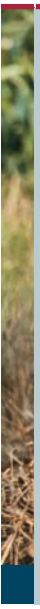
All this has prompted another amendment. In a first, the proposed amendment aims to lay down a definition of wildlife research. This has been the bone of contention between the wildlife and forest bureaucracy of the country and the scientific community as the latter feels that, in the absence of transparent and specific provisions, wildlife research has been subjected to unnecessary controls. Much debate over the parameters for wildlife research is expected.

On the issue of settlement of rights in the establishment of Protected Areas, the amendment makes specific references to the provisions of the recently enacted Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. The implementation of provisions of these two pieces of legislation has always been seen as contentious by many, and some also feel that certain provisions of the Recognition of Forest Rights Act contradict the WLPA. As such, bringing in a reference to one Act in the implementation of the other is likely to be seen as establishing the primacy of one and diluting the WLPA.

Charismatic species have seen their wild populations touch precarious levels, despite growing concern about conservation. The tiger is the best example.

At present, declaration of national parks and sanctuaries is generally a two-tier process. First, the government issues a notification of intention, following which rights, if any, are recognized and settled wherever considered necessary. Only after this is the final notification of establishment issued. Nearly 80 per cent of the Protected Areas in the country are yet to have the final notifications issued. This, despite Supreme Court directions very long ago.

In its present form, the WLPA also has provisions whereby certain legal provisions of protection are applicable immediately when the first notification is issued. This is a major provision which has extended added legal cover to most Protected Areas despite the fact that the final settlement proceedings may not be complete. The proposed


REUTERS

Crime and Punishment

A major attempt has been made to redefine the nature of offences under this Act and punishments prescribed.

PROPOSED Category 1 offences include the hunting, trade or unlawful possession of some important species such as the tiger, lion, elephant, rhino, all leopards, musk deer, all turtles and tortoises, all bears, Tibetan antelope, all crocodiles, including ghariyals, all bustards, dolphins, and whale sharks. This appears debatable, as the WLPA already has species classified under various schedules. Further classification will only cause confusion in implementation.

Another proposal says that "any person committing a Category 1 offence is punishable with imprisonment of a minimum term of five years extendable up to seven years and shall be fined a minimum of rupees five lakhs which may be increased to rupees one crore only". In the case of a second or subsequent offence under Category I, the penalty applicable shall be imprisonment of not less than seven years, or a fine of not less than Rs 5 lakh and up to Rs 75 lakh, or both. It appears that, while the imprisonment for subsequent offences has been raised, the maximum fine is lower than for the first offence!

For category II offences, the maximum penalty is imprisonment for a minimum period of three years and a maximum of seven years. The person shall also be subject to a fine up to Rs 3 lakh only.

Category I and Category II offences are cognizable, non-bailable, and triable by a sessions judge. The proposed amendment also seeks to remove the existing provision of Section 51-A (which lays down certain conditions on grant of bail) on the rationale that it is no longer required. However, a non-bailable offence does not imply that an accused cannot get bail; it only implies that bail is not a matter of right for the accused and (s)he can still be released on bail under provisions of Section 437 of the Criminal Procedure Code, 1973.

amendment seeks to do away with this and treat all Protected Areas lacking a final notification as "proposed". This could have a major impact on a large number of Protected Areas.

THERE is also an added provision that, in case any vehicle or vessel has been seized under the provisions of this Act, a reasonable opportunity shall be given to the accused prior to arriving at the finding that the item is forfeited to the government. Such proceedings shall be conducted by an officer not below the rank of Assistant Conservator of Forests. Also, no court shall take cognizance of such an offence till such administrative proceedings are complete and the competent officer arrives at a *prima facie* decision against the accused. An appeal against this order shall lie with the Conservator of Forests and no further appeal shall lie, including to any trial court, against this decision. This is thus a quasi-judicial mechanism to ensure speedy processing of cases where vehicles aand so on are seized in connection with wildlife offences.

The proposed amendment also makes, for the first time, a direct reference to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). At present, CITES is administered mainly through the provisions of the EXIM Policy as laid down by the Directorate General of Foreign Trade. This inclusion of administration of CITES within the WLPA is a welcome step. However, it remains to be seen as to how the introduction of a new Chapter VI-B on regulation of trade in endangered species of wild fauna and flora will impact what is currently a thriving and totally unregulated business in exotic flora and fauna (especially birds and mammals), including many listed under CITES.

The major area where the proposed amendment seems to miss the bus is the rationalization of its various schedules. Currently, there are six schedules, including one that lists "vermin". These include over 800 species and families of wild animals and just six species of plants. This is a clear case of imbalance. In addition, there is a separate Chapter V-A that prescribes specific provisions related to Schedule I and Part II of Schedule II of the WLPA. This is confusing. There must be clear distinctions between relevant provisions for schedules. Instead of clarifying this, there is further attempt to create new categories of offences for selected species, different from the original schedules! In addition, there is now a Schedule VII being added.

The amendment seeks to treat all Protected Areas lacking a final notification as 'proposed'. This could impact a large number of Protected Areas.

There is also a growing tendency among lawmakers to include what are primarily policy, management and administrative issues within the ambit of legislation. The WLPA is an example of this. In the recent past, provisions of the law have made references to issues like "evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use, ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, emphasize coexistence in forest areas outside the National Parks" and so on. Though well intentioned, when included in a legal statute, such provisions are virtually impossible to define and implement. g

(The writer, an Indian Forest Service officer, is head of TRAFFIC India. The opinions expressed are personal)

mk ranjitsinh

MAN OF THE FOREST

Rivetting accounts of how India's wildlife protection Act came about and the night of the Bhopal gas leak, among other recollections

MY grandfather ruled the princely state of Wankaner in Gujarat. The merger of the princely states took place in 1948 but the titles were recognized till 1972. My grandfather lived till 1954. My father, Pratapsinhji, was the heir apparent and helped my grandfather in looking after the state. My father died in 2006 at 100 years of age.

I was born in 1938 and schooled at Rajkumar College, Rajkot, where my father and grandfather had also studied. Then I went to St Stephen's College, Delhi, for History (Hons) and MA in history. In 1960, I appeared for the IAS examination and was selected in 1961. I joined the IAS because administration was something I was relatively familiar with due to my background. I felt I was not suited to business or industry and I was not inclined to join the Army. My parents and grandfather said I must work and I felt the same way. In the administrative service, I found an opportunity to serve the nation.

I am from Gujarat but I opted for Madhya Pradesh. I wanted to serve outside Gujarat and Rajasthan where I have relatives in every district. And undivided Madhya Pradesh had the maximum extent of forest. I was deeply interested in forests and wildlife.

I had two maternal uncles, one in the ICS and the other in the IAS. They belonged to Central Provinces, later Madhya Pradesh. The one in the ICS, Dr Nagendra Singh, who died in 1989 as Chief Justice of the International Court of Justice at the Hague, used to be Collector of Mandla. I went there as a boy and decided that I would join the ICS and become Collector of Mandla. I did that, though I joined the IAS.

DP Misra was Chief Minister of MP and RC Noronha was Chief Secretary. I joined them in 1962. I was Assistant Collector under training at Sagar for two years. In 1964, I was given independent charge of a sub-division, Bahrampur. Then I went to the Secretariat in Bhopal as Under Secretary, Home at the time of the 1964 war. In 1965, I was promoted to Collector and posted at Dhar. In 1967, I was posted at Mandla. The Mandla posting was the only one I ever asked for in my entire career.

My interest in forests and wildlife probably sprang from my upbringing and my family. I had exposure to these things as a child. As a Collector, my work had something or the other to do with forests and wildlife.

Mandla included Kanha, one of India's greatest national parks. I was deeply involved with the protection and improvement of Kanha and the saving of the highly endangered Barasingha. That particular sub-species is now found only in Kanha. It was a hands-on job. I was Collector at Mandla from 1967 to '70 and then for a year I was Deputy Secretary, Finance in the Madhya Pradesh government. The Secretary was RN Malhotra, who later became Governor of the Reserve Bank of India.

In 1971, I came to Delhi on deputation from Madhya Pradesh. It was my first posting in the Ministry of Agriculture. At the time, the Forest Department was under this Ministry. Mrs Indira Gandhi called a meeting to elicit suggestions regarding wildlife conservation. I was the youngest person present.

I made a couple of suggestions. One, that we needed a wildlife Act for the whole country, a Central Act; second, we should have a Central scheme for providing financial assistance to our national parks and sanctuaries. This was then a state subject. Later, under Emergency, Mrs Gandhi amended the Constitution and made forest and wildlife a concurrent subject. So when I suggested a Central Act, the question arose as to how this could be done when it was not even a concurrent subject. I said that, under the Constitution, the state and the Centre could legislate on a state subject if the states consented. Mrs Gandhi wrote to the Chief Ministers, asking them to empower the Centre. Eighteen states consented to including wildlife on

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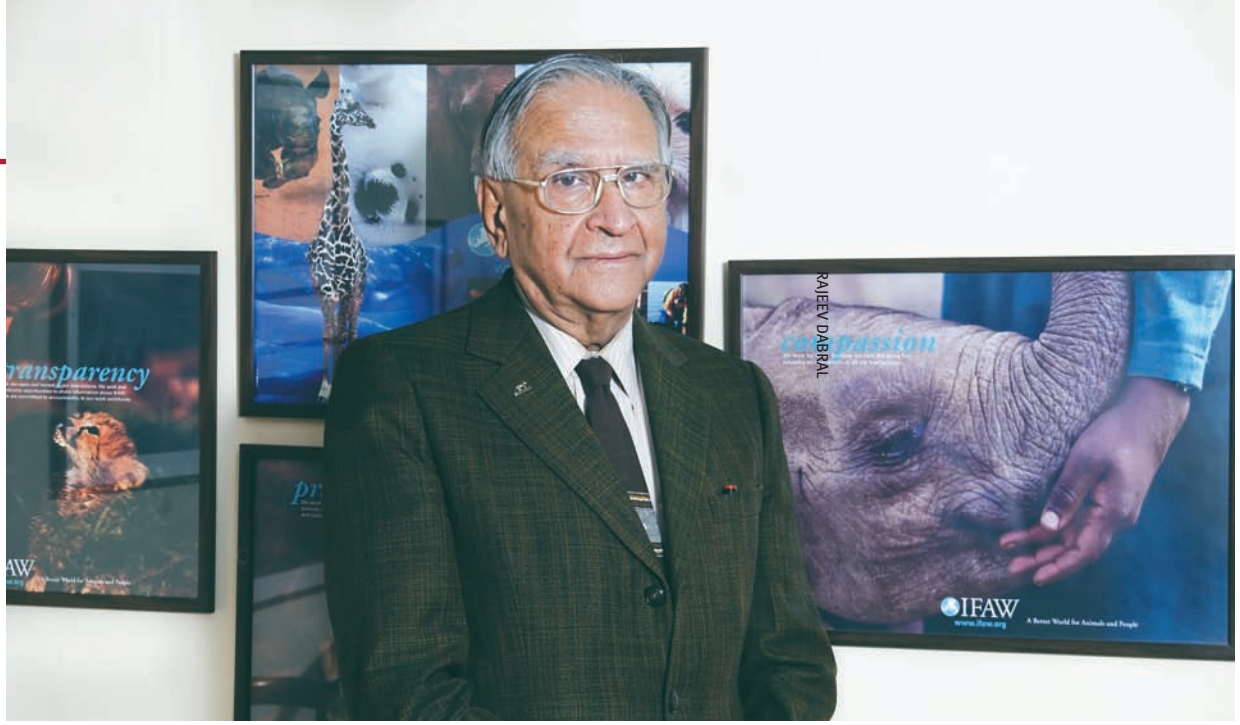


RAJEEV DABRAL

the Concurrent List.

A week after the meeting, in September 1971, Mrs Gandhi wrote to the Agriculture Minister, Fakhruddin Ali Ahmed, that I should be put in charge of wildlife. She also directed that the Central wildlife Act be prepared. I drafted it in seven months. It also went to the Law Ministry for their inputs. Mrs Gandhi did not allow any wastage of time in Parliament. It was introduced and passed straightaway.

I suggested a Central Act because there were various Acts that were weak. Hunting permits were allowed under the Indian Forest Act. There was no real legislation for establishing parks and sanctuaries. There was nothing about management, nothing about trade and taxes. Each state had different taxes and they were archaic and not comprehensive.

In 1972, the Indian Wildlife (Protection) Act was passed. On April 1, 1973, I launched Project Tiger in Corbett National Park. Kailash Sankhala was its first Director while I became the first Director of Wildlife Preservation.

I remained with the Agriculture Ministry till 1975. In August that year, I joined the United Nations Environment Programme (UNEP). I went first to Nairobi, headquarters of UNEP. That year, UNEP opened an Asia-Pacific regional office in Bangkok. I was transferred there as Senior Regional Adviser, Nature Conservation.

On January 1, 1981, I returned to India and was Secretary for Forest, Tourism and Sports in Madhya Pradesh till 1983.

IN 1983, I became Commissioner, Bhopal. I was the first government servant to enter the Union Carbide factory on December 3, 1984. None of us knew that there was something lethal there. I knew the factory produced pesticide but not that it produced Methyl Isocyanides (MIC). The factory was allowed to come up at the edge of the town. The town grew around it and then the factory was very much in Bhopal city. There had been leaks in the past which were hushed up. Some questions had been raised but nothing concrete was done. Then the holocaust happened.

I had come home for dinner when I was informed by the Police Control Room. The Deputy Commissioner was not there, so I took charge of the Control Room. The SP, Swaraj Puri, was also there but the Collector came later. There was no driver so I drove my official car and informed the Chief Minister, Home Minister and Chief Secretary, Brahm Swarup, who was my neighbour.

I went first to the Control Room and then to the factory in the early morning. It was still dark. I had informed the Manager of what was happening in his factory but he reached before me. It was amazing. The political ramifications came later. Some people were truly heroes while there were others who did not live up to expectations. Some ran away from the administration. In the case of those who did such good work, I feel the service they rendered has not been fully appreciated. I wanted to recommend a lot of people for awards. Some did receive awards, some didn't.

When I reached, people were running away. They wanted me to give them a lift. They said, "Why are you going that way. Take us this way instead." There were broken spectacles and chappals, and it was a winter night. The gas had settled on the ground and also been absorbed into the water of both the lakes. It killed the vegetation. So you can imagine what it did to our lungs.

I'm also affected by it but I'm in Category C. The A category ones died, the B category ones were seriously affected and did not recover. The C category ones were also seriously affected but recovered. I have been awarded compensation. I was the one person whom they did not take advantage of.

Five months earlier, I had undergone a check-up and the hospital had complimented me on my above-average lung capacity. I still have those medical test

reports. After the incident, the question of taking leave did not arise. But in March 1985, when I was feeling better, I went back to the hospital. My lung capacity had reduced by 23 per cent. The doctors said, "You should normally lose 1 per cent at your age." This was a benchmark and I gave it to the government but I don't think they used it with enough force on behalf of all the victims. If this is the condition of a C category person, then what must it be for those in B category? The climate changed that night. It became warm and there was not a single vulture in the sky. The entire two days were like this. We didn't wear sweaters. All these facts were not included in the assessment.

I continued there until July 1985. I started supply of free milk and medicines, and began rehabilitation. I was assisted by Bimal Julka, now Resident Commissioner of Madhya Pradesh. The government posted just one man to help me deal with this crisis. Thousands of people died. Rajiv Gandhi came and I accompanied him on a tour of the place. One person died before him.

My eyes and chest have been affected and I used to get out of breath very easily. Till now, there is no sign of cancer. There is no way to tell how much it might have shortened my life.

In 1985, I came to Delhi as Joint Secretary in charge of wildlife and had my second stint as Director, Wildlife Preservation. I became Additional Secretary in the Ministry of Environment in 1989 and remained there till 1992. Then I went back to Madhya Pradesh for two years as Chairman, Narmada Valley Development Authority. I returned to Delhi as Director General, Council for Advancement of People's Action and Rural Technology (CAPART). In 1996, I retired at the age of 58. I continue my involvement with wildlife as Chairman, Wildlife Trust of India. g

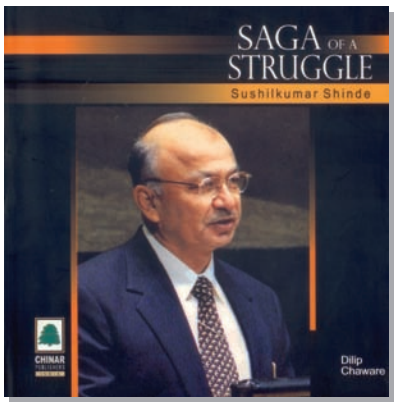
by Diptendra Raychaudhuri

SUSHILKUMAR Shinde, a Dalit, had a Brahmin friend in childhood who often invited him to his house where they would play and even eat together. It was unusual, for Dalits were not allowed inside the houses of the upper castes. The Brahmin boy's father was comparatively liberal. However, there was one place – the *devghar* or *puja* room – where Shinde was not allowed entry.

The experience probably went a long way in forming Shinde's character. He became something of a semi-atheist. He has never taken the oath of office as a Minister "in the name of God". But he bears no acrimony towards the upper castes or any bitterness towards anyone. He participates in festivals like Ganesh Chaturthi. In his own words: "My conviction is to work and work harder, excel in my chosen field and above all, create friends. I think this attitude has paid me rich dividends. How else could a person in my position achieve so much?"

Since childhood, Shinde made continuous efforts to learn, and his learning included even "etiquette, finesse of language and table manners". The things that are ingrown in an upper-caste boy have to be learned painstakingly by a Dalit boy in order to fit into society. Perhaps this explains why so few Dalits are able to rise to a position of eminence. Shinde is an exception, displaying the determination and dedication that distinguish his character.

Having crossed the initial barrier, he passed milestones one after another. For a Dalit boy, the status of a police sub-inspector could have been the height of achievement.



Title: **Saga of a Struggle: Sushilkumar Shinde**
Author: Dilip Chaware
Publisher: Chinar
Price: Rs 300

A life

He decided he would be an actor and learnt to speak in the upper caste way. However, under pressure, he would sometimes revert to his natural pronunciation. With help, he overcame that too and won medals for acting. He got a job in a court, while still carrying on with his studies. Bold and straightforward, he was able to get through the selection process and started the life of a police sub-inspector in the CID.

Having crossed the initial barrier, he passed milestones one after another. For a Dalit boy, the status of a police sub-inspector could have been the height of achievement. Not for Shinde. He does not believe in destiny, but he was destined to ascend higher. He dreamed of leaving his job and trying his hand at legal practice. But a young leader named Sharad Pawar drew him

Shinde with the Dalai Lama and Rahul Gandhi: camaraderie of true leaders

EXTRAORDINARY

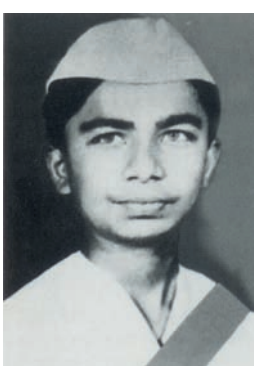
The story of a Dalit politician's rise to eminence

into politics. He was a good speaker, but when the first opportunity came to impress senior political leaders at a meeting, he could not mouth more than a line: "Strengthen the hands of the Prime Minister." But this failure would turn out to be a precursor of success. Given his traits, it was obvious that he would try hard to become an orator, and he did. Even Bal Thackeray once said, "I would have appointed Sushilkumar the chief minister long ago had it been within my authority."

Many such stories make this an interesting and enjoyable read. Shinde once went to the Mahalaxmi temple in a state of depression. He was "...feeling defenceless due to the untimely demise of his doting father some years earlier and with no prospect in life. His caste, his surroundings and his two illiterate mothers were all he had. ...There was not enough to eat, no support forthcoming to continue his education." This obstacle, too, was overcome as were so many throughout his life.

The book presents the little-known Shinde. However, being an official biography, one must not expect any critical evaluation. Other such biographies become banal but that is not the case with this book. The rise to eminence of those who come from the lowest rung is always fascinating. And the glimpses of the private persona of this politician are rewarding. The book leaves the reader with an understanding of the secret behind Shinde's popularity. g

The younger Shinde: stoicism and grit



THE MAGIC OF ANTARCTICA

The first Indian woman to ski from the coast of the continent to the South Pole recounts her journey

by Reena Kaushal Dharmshaktu

IT was 11.09 pm on December 29, 2009. The temperature was – 30° C but the wind was a little more merciful than its 80-knot *avatar* that we had encountered during our 38-day odyssey across the ice. I had become the first Indian woman to ski from the coast of Antarctica to the geographic South Pole.

The staff at the US research station at the Pole was waiting outside to welcome us and they applauded as we drew near. I am a certified instructor for the National Outdoor Leadership School (NOLS), US and some of my colleagues had been at the research station while I was still en route. We could not meet because they had to fly out before my arrival but they had told the others at the station about me and I got quite a welcome.

The first feeling was of relief as we shed the harnesses used to pull the sleds – or pulks, as they are called in Antarctica. We had dragged those 55-kg pulks over 900 km for 38 days with just one rest day. Travelling on the ice and snow plains was comparatively easy going. But we hated the sastrugis – wave-like formations of hard snow created by the wind. Sastrugis can be as tall as 10 feet. They forced us to make detours around them.

Free – for ever – of our pulks, we assembled around the mirror ball at the ceremonial South Pole. Our team leader and British polar researcher, Felicity Aston, sent out a Podcast, announcing each of our names. The records the expedition had set were stupendous.

The members from Singapore, Sophia Pang, and New Zealand, Kylie Wakelin, were, like me,the first women from their nations to do the ski traverse from coast to Pole. But the members from Cyprus, Stephanie Solomonides, and Brunei Darussalam, Dk Najibah Eradah binti PAM Al-Sufri Pg M-L Kahar (or Era, as we called her), were the first people from their countries to do it. The poignancy of that moment of arrival at the South Pole brought tears to our eyes.

We had all come together the first time in February 2009, at the selection-cum-coaching camp in Norway. Felicity had received hundreds of applications from Ghana, Cyprus, Brunei Darussalam, Jamaica, Singapore, New Zealand and India. She selected two candidates from each country for the camp. An Indian Foreign Service probationer was the other candidate from India. However, after a week in Norway, I was chosen for the final team.

Sadly, the member from Ghana got malaria before the

expedition and the one from Jamaica had to return after getting frostbitten on arrival in Antarctica. Still, our little team fulfilled Felicity's dream of completing the expedition to spread messages about women's empowerment and protection of the environment (we set another record as the first expedition to bring back all its waste). The venture also celebrated the 60th anniversary of the founding of the Commonwealth on January 1, 1950.

This will probably remain the coldest New Year celebration of my life! Few experiences can match up to it. And to the memory of that vast, frozen vista with no sign of life. Yet, all the time, we felt a life energy all around. That is the magic of Antarctica.

The journey to the goal was hard – physically, mentally and emotionally. Raising money was the biggest hurdle. The expedition would not have taken place but for the last-minute sponsorship by Russian software company Kaspersky Lab. I was rebuffed by Indian firms and women ministers. Only the Indian Mountaineering Foundation, the Bajaj group and *gfiles* lent a helping hand.

I sent a little "thank you" message fluttering on the wind from the South Pole. g

—As told to gfiles

Whose power is it, anyway?

An arrogant SDO hassles a Padmashri

MY friend and neighbour in Jagjit Nagar, a locality near Kasauli in Himachal Pradesh, is a dental surgeon, Dr RK Bali. Dr Bali, who is a Padmashri, is on the panel of surgeons to the President of India, and lives in Delhi. He got the electrical wiring in his cottage here replaced in order to upgrade the load to the present requirement.

Then he phoned a junior engineer of Subathu subdivision of the Himachal Pradesh Electricity Board and requested him to carry out an inspection to ensure that the wiring and new electrical fittings were in order. The officer duly came three days later, inspected the premises, found everything in order and advised Dr Bali to apply for a certain kilo wattage of load extension.

A few days later, a notice arrived for Dr Bali to visit the SDO's office within a week or else the power supply would be disconnected. Since Dr Bali was busy, he requested me to look into the matter and apply for extension of load as required. I got the test report made and sent it to him in Delhi for his signature and received it back without delay.

Meanwhile, the SDO had got the power supply disconnected despite there being a credit balance of about Rs 2000 in Dr Bali's account with the SDO's office. On the very next working day, I went to the SDO's office – 25 km away – to submit the documents. The SDO was not in the office. I requested the head clerk, a Sikh gentleman, to accept the application and the stipulated fee. He refused and instead showed me calculations arriving at Rs 75,000, the purported penalty being levied on Dr Bali for theft of power. I nearly fainted on hearing the word "theft" used in connection with a thorough gentleman like Dr Bali.

But, in the same breath, the clerk assured me of help in striking a "deal" with the SDO. No amount of explanation on my part would satisfy him. I waited for the SDO for three hours and finally left. I phoned Dr Bali and told him everything.

A few days later, Dr Bali arrived from Delhi and we went to Subathu again. Dr Bali requested the SDO to take a positive view of the matter. The man was extremely insulting. He refused the request with the reply, "*Main jo likh deta hoon use koi nahin badal sakta, aap se jo hota hai kar lo.*" Finally, Dr Bali took out his visiting card and handed it over, saying he would pay the entire amount under protest and contest the matter later in the appropriate forum. As the SDO looked at the card, his manner transformed. Needless to say, Dr Bali did not have to pay the hefty "penalty".

Not everyone can be so lucky. When will we be free of these sharks lurking all around us? They need their teeth extracted. g

GK Vasudeva, Jagjit Nagar, Kasauli
Solan, HP

Form IV (See rule 8)

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Dated. March 30,2010
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HARYANA

NURTURING THE GIRL CHILD

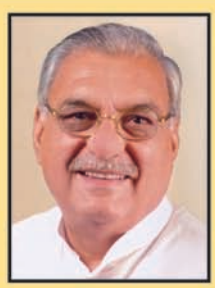
Schemes Implemented For The Welfare Of The Girl Child

- Under **'Ladli Social Security Allowance Scheme'**, a monthly pension of Rs. 500 is given to those parents, who have only girl child or children, from the 45th birthday of the mother or the father whosoever is older. This benefit will continue till the beneficiary attains the age of 60 years after which they would be entitled to Old Age Allowance.
- An incentive based scheme **'Ladli'** has been introduced by the State Government to combat the problem of female foeticide. Under the scheme, which is applicable August 20, 2005 onwards, on the birth of second daughter Rs. 5000 per year are given to the new born girl and her mother for five years.

The Haryana Government is committed towards the betterment of women.

Deeply concerned about the adverse sex-ratio, the State Government has taken a number of initiatives to arrest this trend. Many incentive based schemes have been implemented to bring about a constructive change in the mindset of the people and to impart dignity to the girl child. An environment is being created so that a girl child can achieve her potential.

Bhupinder Singh Hooda
Chief Minister, Haryana



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The 1987-batch IFS officer of the AGMUT cadre is now Adviser to Pondicherry University.

JN SINGH
The 1983-batch IAS officer of the Gujarat cadre has joined the NHAI as Member (Finance).

ARSHINDER SINGH CHAWLA
The 1993-batch IPS officer of the Haryana cadre has joined ITBP as DIG, Shimla sector.

MK LOKESH
The 1977-batch IFS officer has been appointed Ambassador to the United Arab Emirates.

SYLENDRA BABU
The 1987-batch IPS officer of the Tamil Nadu cadre has been appointed Commissioner of Police, Coimbatore.

M JAGADEESHWAR
The 1993-batch IAS officer is now MD of Hyderabad Metropolitan Water Supply and Sewerage Board.

HARI RANJAN RAO
The 1994-batch IAS officer of the Madhya Pradesh cadre has become MD of the Madhya Pradesh State Tourism Development Corporation.

SATYENDRA GUPTA
The 2004-batch IPS officer of the Haryana cadre has been posted as SP, Sirsa.

GULSHAN BAMRA
The 1997-batch IAS officer of the Madhya Pradesh cadre has become Collector of Jabalpur.

VK DUGGAL
The 1968-batch IAS officer of the UT cadre has become Member-Secretary of the Committee set up by the government on the Telengana issue.

PRAMOD KUMAR RASTOGI
The 1974-batch IAS officer of the Andhra Pradesh cadre is now a Member of the Telecom Disputes Settlement and Appellate Tribunal.

SAILAS THANGAL
The 1996-batch IFS officer has become Director, External Publicity in the MEA.

SHISHIR KUMAR
The 1975-batch CBEC officer has assumed charge as DG of the Central Economic Intelligence Bureau.

CK MATHEW
The 1976-batch IAS officer of the Kerala cadre has taken over as Director-General, NIRD in Hyderabad.

PK BASU
The 1976-batch IAS officer has been appointed Secretary, Agriculture in the Government of India.

SANJAY KUMAR SINGH
The 1992-batch IDAS officer has become CVO of the Jute Corporation of India.

RITVIK R PANDEY
The 1998-batch IAS officer of the Karnataka cadre is now Deputy Secretary in the Department of Economic Affairs.

VIVEK SAXENA
The 1991-batch IFS officer of the Haryana cadre has become Director, IFS Cadre Management, in the Ministry of Environment & Forests.

MAMTA
The 2004-batch IAS officer of the Himachal Pradesh cadre is now Deputy Commissioner, Kinnaur at Reckong Peo.

SUMAN BALA SAHOO
The 1987-batch IPS officer of the West Bengal cadre and Joint Director, CBI has been posted to Kolkata.

RANJIT RAE
The 1980-batch IFS officer has been appointed Ambassador to Vietnam.

PRADEEP KUMAR SHRIVASTAVA
The 1986-batch IPS officer of the Uttarakhand cadre has taken over as IG, Chandigarh.

SHUBRA SINGH
The 1989-batch IAS officer of the Rajasthan cadre is now Director, Census Operation, Rajasthan.

S BALAJI
The 1977-batch IPS officer of the Uttar Pradesh cadre is now DG, National Investigation Agency.

G MATHI VATHANAN
The 1994-batch IAS officer has been posted as PS to Orissa Chief Minister Naveen Patnaik.

VIPLAV KUMAR CHOUDHARY
The 1987-batch IPS officer of the J&K cadre is now SP-II at the National Human Rights Commission (NHRC).

AVANI VAISH
The 1975-batch IAS officer has been appointed Chief Secretary of Madhya Pradesh.

Moving On: ias officers retiring in March 2010

ASSAM-MEGHALAYA
Prafulla Chandra Sarma (1975)

ANDHRA PRADESH
Radhey Shyam Goel (1974)
Deepak K Panwar (1974)
M Veerabhadraiah (1988)

HARYANA
Leon Stan Manohar Salins (1976)

KARNATAKA
Arkalgud Ramaswamy (1974)
MR Sreenivasa Murthy (1976)
AS Srikantha (1984)

KERALA
Satyanarayana Dash (1973)

MAHARASHTRA
Gurkeerat Singh Gill (1976)

RAJASTHAN
Atul Kumar Garg (1976)

SIKKIM
BP Pradhan (1992)

TAMIL NADU
S Ayyar (1989)

UTTAR PRADESH
Sudhir Saxena (1996)

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Budget focus on managing growth

THE markets gave a thumbs-up to the Budget due to the very low expectations they had. That was the reason why the markets opened in green even before the Budget was presented. But the fact that they consolidated the gains during the day was entirely due to some welcome surprises and the way the Budget handled the three key issues of growth, fiscal deficit and reforms. The Finance Minister talked of returning to 9 per cent growth in GDP in the very next fiscal year, ie 2010-2011, containing fiscal deficit to 5.5 per cent for 2010-11 (sharply lower from the revised deficit of 6.9 per cent for 2009-10) and to 4.8 per cent and 4 per cent in subsequent financial years. An increased disinvestment target further raised hopes.

The present, therefore, looks to be pleasant, if not rosy, to which the markets responded. What the future holds and how the economy will transform these targets into reality is another question. If the rain gods support the Finance Minister in the coming one to two years, they may well be achieved otherwise we have to keep our fingers crossed. The market cheer was further justified since the Budget left the capital gains tax and STT untouched.

The Budget also had the partial rollback of stimulus, but did not touch the service tax rates. By broadening the tax slabs, it has left substantially higher disposable income with individuals which will fuel growth of the economy. The further reduction in corporate surcharge from 10 to 7.5 per cent is also welcome. Pranab Mukherjee's thrust to infrastructure – both rural and urban – by giving it a lion's share of total plan allocation at Rs 1.73 lakh crore is laudable. An allocation of Rs 48,000 crore to the Bharat Nirman Scheme will go a long way in building and upgrading rural infrastructure. Introduction of infrastructure bonds will not only give further relief to the individual tax payer but will also lead to accumulating huge resources for the country's infrastructure requirements.

But the Budget fails to address the key issue of inflation which is seen as the biggest threat to the economy and likely to derail all the positives mentioned till now. Rather, an increase in petrol and diesel prices will further push inflation. An increase in MAT from 15 to 18 per cent will specifically hit the small and medium enterprises – the key growth drivers with immense potential to generate employment.

FIIs have responded positively to the Budget but the rally may get restricted to a mere relief rally and it will be very difficult to say that the markets will go higher just because of the Budget statements.

However, despite some areas of concern, the Budget can well be called a focused exercise aimed at managing growth after the country has successfully managed the crisis. FIIs have responded positively to the Budget but the rally may get restricted to a mere relief rally and it will be very difficult to say that the markets will go higher just because of the Budget statements. The markets will consolidate their gains only when the promised GDP numbers start materializing and corporate earnings start improving on a sustained basis.

In the short term, markets may see gains of around 5 per cent but the direction in the medium term will be largely dictated by global issues and economic realities at home.

Banswara Syntex

(CMP Rs 95)

A Rajasthan-based manufacturer of various types of blended yarns, namely polyester, viscose, woollen and acrylic, Banswara has entered into a 50 per cent joint venture with French textile company Carreman for a weaving plant of 60 looms. The fabric business is currently the larger contributor to the total revenue, with more than 60 per cent of sales coming from the segment. The remaining 40 per cent to the top line is contributed by the yarn business, a major chunk of which comes from the sale of polyester yarn. The company exports its products to nearly 50 countries. Banswara has coal-based and furnace oil thermal power-based power plants with a capacity of 18 MW and 9 MW, respectively, both of which are used for captive consumption of power. The company has plans for an additional 15/18 MW thermal-based power plant, which is expected to commence operation at the end of 2010.

The company's top line grew at a compounded annual growth rate (CAGR) of 21 per cent and net profit at a CAGR of 40 per cent during the last five financial years. The fact that the current market price discounts the estimated FY11 EPS of 35 by just 2.5 times and the interim dividend of 18 per cent already paid for the year boosts confidence in the stock. g

The author has no exposure in the stock recommended in this column. gfiles does not accept responsibility for investment decisions by readers of this column. Investment-related queries may be sent to gfilesindia@gmail.com with Dr Sood's name in the subject line.

SAIL ad hurts egos

WHERE three would be considered a crowd, no less than 23 candidates applied for the chairmanship of Steel Authority of India (SAIL). The present Chairman, SK Roongta, retires in May 2010.

Arvind Singh Dev (IAS, 1983, UP) sought Court intervention. The latter directed the PESB to entertain Dev's candidature. He had pointed out that the PESB advertisement for the post had a flaw. It asked bureaucrats who were Additional Secretaries to apply. Dev argued that the advertisement was silent on

whether those drawing salaries equivalent to that of an Additional Secretary could apply. This created a furore in bureaucratic circles and those senior to him are reportedly upset at being left out. It is being discussed whether they too should resort to legal intervention and redeem their bureaucratic honour!

Bravo, Bhave!

THE show of objectivity and transparency is a mere cover for promotion of personal interest. Rules and regulations and penal provisions appear to be in place only for the hapless common man.

When CB Bhave was heading National Securities Depository Ltd (NSDL), the organization was discovered to be involved with three major scams – the IPO scam, the DSQ software share scam and the Rajnarayan Capital Market

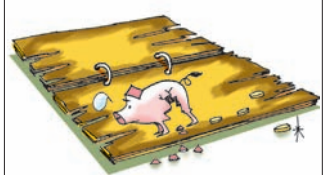
Services Ltd (RCMSL) scam. All these cases were probed by the capital market regulator, the Securities and Exchange Board of India (SEBI).

Then, as luck would have it, Bhave became Chairman of SEBI. Now, how could it be that he would be found guilty in the scams? He wasn't. He emerged "untainted" in each case.

Eyewash at IGNCA

IT is not an unusual practice for those in the labyrinth of government to do nothing until an issue boils over. At the Indira Gandhi National Centre for Arts (IGNCA), an autonomous unit under the Ministry of Culture, what happens is virtual maladministration. Its Advisory Board is filled with redundant bureaucrats with questionable track records. Insiders openly ask how the Centre expects to benefit from Board members like C Garekhan, a veritable fossil, and Anil Baijal, an uninspiring administrator known only for political connections.

Recently, one Sohan Singh Saini was appointed a consultant for three months to a section that is well-staffed. Most glaring is that a contractual employee has been made Head of Division with the financial authority of a regular employee. And there are reports of widespread irregularities in the appointments of professors and



associate professors.

In what is seen as a feeble attempt at a cover-up, Aditi Mehta, former Joint Secretary of IGNCA, has reportedly been sent on leave before repatriation.

Rules bent for Noreen Naqwi

EVER since Noreen Naqwi assumed charge as acting DG of AIR (through a clever sleight of hand by CEO BS Lalli), she has been in the news. Though the Prasar Bharati Board appointment specified that her qualifying period had to be regularized as per rules, it is known to all that no such rule existed nor was there any provision

ILLUSTRATIONS: ARUNA

to have it amended for one person. However, this has now been done.

The Department of Personnel & Training, which had several times earlier turned down Naqwi for lack of rules, finally succumbed to a Machiavellian plan. The rules have finally been bent for her and her "ad-hoc" posting is being regularized. She will be confirmed as DG, AIR. A way out was found by sending the file to the Law Ministry where it was opined that the rules could be bent.

But 30,000 staffers of Prasar Bharati with similar ad-hoc postings have not had their cases reviewed. Senior and competent Programme Officers have spent more than 15 years in the same slot. Not only that, where tribunals or courts have given favourable judgments, Prasar Bharati and the I&B Ministry have resorted to appeals despite being on weak legal ground. g

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Via - Port Blair

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